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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 NORTHWEST ENVIRONMENTAL
9 ADVOCATES,

10 Plaintiff,

11 v.

12 UNITED STATES ENVIRONMENTAL
13 PROTECTION AGENCY,

14 Defendant.

Case No. C17-1664RSL

ORDER GRANTING PLAINTIFF'S
MOTION FOR SUMMARY
JUDGMENT

15 This matter comes before the Court on Northwest Environmental Advocates' "Motion for
16 Summary Judgment." Dkt. # 15. Plaintiff filed this action to force the United States
17 Environmental Protection Agency ("EPA") to approve or disapprove the Total Maximum Daily
18 Loads ("TMDLs") proposed by the Washington State Department of Ecology for 73 segments of
19 the Deschutes River Basin. The parties agree (a) that the EPA had a statutory duty to review the
20 TMDL submission and issue its decision within 30 days of December 17, 2015, and (b) that it
21 failed to do so. The EPA now anticipates completing its review by June 29, 2018, and plaintiff
22 seeks a Court order incorporating that deadline.

23 Having reviewed the memoranda, declarations, and exhibits submitted by the parties,¹
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25 ¹ This matter can be decided on the papers submitted. Plaintiff's request for oral argument is
26 DENIED.

ORDER GRANTING PLAINTIFF'S
MOTION FOR SUMMARY JUDGMENT

1 plaintiff's motion for summary judgment is GRANTED. The EPA shall, no later than June 29,
2 2018, complete its action pursuant to the Clean Water Act, 33 U.S.C. § 1313(d), on the 73
3 waterbody-pollutant combinations that constitute the State of Washington's December 2015
4 "Deschutes River, Percival Creek, and Budd Inlet Tributaries Temperature, Fecal Coliform
5 Bacteria, Dissolved Oxygen, pH, and Fine Sediment Total Maximum Daily Load."

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7 DATED this 25th day of June, 2018.

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9 Robert S. Lasnik
10 United States District Judge
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